

## REMARKS

Claims 1-28 were examined and reported in the Office Action. Claims 1, 2, 4-14, 16-24, 26 and 27 are rejected. Claims 25 and 28 are allowed. Claims 3 and 15 are canceled. Claims 1, 8, 9, 11, 13, 21 and 23 are amended. Claims 1-2, 4-14, and 16-28 remain.

Applicant requests reconsideration of the application in view of the following remarks.

### I. In the Drawings

The Office Action asserts that Figure 5E as filed on April 25, 2005 does not show the light source coupled to the lower portion nor the center portion as cited in claim 9; and does not show the sound chip coupled to the power source. Applicant has amended the claims and Fig. 5E to overcome the drawing objections. Approval is respectfully requested.

### II. 35 U.S.C. § 103(a)

A. It is asserted in the Office Action that claims 1, 4-7, 9-13, 16-19, 21-24, 26 and 27 are rejected in the Office Action under 35 U.S.C. § 103(a), as being unpatentable over U. S. Patent No. 6,158,870 issued to Ramirez in view of U. S. Patent No. 4,723,801 issued to Musumeci et al. ("Musumeci").

It is asserted in the Office Action that claims 3 and 15 would be allowable if rewritten in independent form. Applicant has amended claim 1 to include the limitations of claim 3. Applicant has amended claim 13 to include the limitations of claim 15. Applicant has canceled claims 3, 15 and 26-27. Therefore, the 35 U.S.C. § 103(a) rejections for claims 1, 4-7, 9-13, 16-19, 21-24, 26 and 27 in view of Ramirez and Musumeci are moot.

B. It is asserted in the Office Action that claims 2 and 14 are rejected in the Office Action under 35 U.S.C. § 103(a), as being unpatentable over Ramirez combined with Musumeci and in further view of U. S. Patent No. 5,044,509 issued to Petrosky et al ("Petrosky").

Applicant's claim 2 is directly dependent on claim 1. Applicant's claim 14 is directly dependent on claim 13. It is asserted in the Office Action that claims 3 and 15 would be allowable if rewritten in independent form. Applicant has amended claim 1 to include the limitations of claim 3. Applicant has amended claim 13 to include the limitations of claim 15. Applicant has canceled claims 3 and 15. Therefore, the 35 U.S.C. § 103(a) rejections for claims 2 and 4 in view of Ramirez, Musumeci and Petrosky are moot.

C. It is asserted in the Office Action that claims 8 and 20 are rejected in the Office Action under 35 U.S.C. § 103(a), as being unpatentable over Ramirez combined with Musumeci and in further view of U. S. Patent D,212,921 issued to Bloomberg ("Bloomberg").

Applicant's claim 8 is directly dependent on claim 1. Applicant's claim 20 is directly dependent on claim 13. It is asserted in the Office Action that claims 3 and 15 would be allowable if rewritten in independent form. Applicant has amended claim 1 to include the limitations of claim 3. Applicant has amended claim 13 to include the limitations of claim 15. Applicant has canceled claims 3 and 15. Therefore, the 35 U.S.C. § 103(a) rejections for claims 8 and 20 in view of Ramirez, Musumeci and Bloomberg are moot.

### **III. Allowable Subject Matter**

Applicant notes with appreciation the Examiner's assertion that claims 25 and 26 are allowed.

Applicant also notes with appreciation that claims 3 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant respectfully asserts that claims 1-2, 4-14, and 16-28, as it now stands, are allowable for the reasons given above.

**CONCLUSION**

In view of the foregoing, it is submitted that claims 1-2, 4-14, and 16-28 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: August 18, 2005

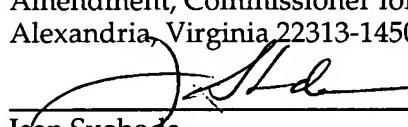
By:  \_\_\_\_\_

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on August 18, 2005.

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Jean Svoboda